

भारत का राजपत्र

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PART II—Section 2

प्राधिकार से प्रकाशित

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No. 26] NEW DELHI, WEDNESDAY, MAY 17, 1978/VAISAKHA 27, 1900

इस भाग में भिन्न पृष्ठ संलग्न की जाती हैं जिससे कि वह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 17th May, 1978:—

BILL NO. VI OF 1978

A Bill further to amend the Employment of Children Act, 1938.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Employment of Children (Amendment) Act, 1978.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

26 of 1938

2. In section 3 of the Employment of Children Act, 1938 (hereinafter referred to as the principal Act), in sub-section (1), clause (b) shall be re-lettered as clause (e), and before clause (e) as so re-lettered, the following clauses shall be inserted, namely:—

(b) connected with cinderpicking, clearing of an ash pit or building operation, in the railway premises; or

(c) connected with the work in a catering establishment, at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train; or

(d) connected with the work relating to the construction of a railway station or with any other work where such work is done in close proximity to, or between, the railway lines; or".

Short
title and
com-
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ment.

Amend-
ment of
section 3.

**Amend-
ment of
section 3E.**

3. In section 3E of the principal Act,—

(i) for the words “and every port authority”, the words “, every port authority and every employer” shall be substituted;

(ii) after the words “within the limits of a port”, the words “or at the place of work” shall be inserted.

**Amend-
ment of
section 4.**

4. In section 4 of the principal Act,—

(i) in clause (c), the word “or” shall be inserted at the end;

(ii) after clause (c), as so amended, the following clause shall be inserted, namely:—

“(d) fails to display a notice containing an abstract of sub-sections (1) and (2) of section 3 and section 4 as required by section 3E.”.

**Amend-
ment of
section 7.**

5. In section 7 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

STATEMENT OF OBJECTS AND REASONS

The main object of the Employment of Children Act, 1938, is to prevent the exploitation of child labour in workshops and other specified occupations. The Act regulates the employment of children in certain industrial employments. Section 3 of the Act prohibits the employment of a child who has not completed his fifteenth year in certain occupations in railways and in ports. It is proposed to amend the said section to extend the prohibition of employment of such child in other occupations in railway premises, such as, cinder-picking or clearing of an ash pit or building operation, in catering establishment at a railway station or in occupation relating to construction of a railway station or any other work where such work is done in close proximity to, or between, the railway lines.

Section 3E of the Act requires every railway administration and every port authority to display at the place specified therein a notice containing an abstract of section 3(1) and (2) and section 4. It is proposed to amend section 3E so as to bring within its scope also an employer in relation to occupations specified in section 3.

It is also proposed to amend section 4 to provide penalty for non-display of notice, as required by section 3E of the Act.

Opportunity is being taken to amend the Act for laying, before Parliament, the rules made by the Central Government, as recommended by the Committee on Subordinate Legislation.

The Bill seeks to give effect to the above objects.

NEW DELHI;

RAVINDRA VARMA.

The 4th May, 1978.

S. S. BHALERAO,
Secretary-General.

